

FILED ENTERED	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
FEB 2, 2022	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

1  
2  
3  
4  
5                   **UNITED STATES DISTRICT COURT**  
6                   **DISTRICT OF NEVADA**

7                   UNITED STATES OF AMERICA,

8                   Plaintiff,

9                   v.

10                  ANDREA TIONDA CARR,

11                  Defendant.

2:21-CR-223-RFB-DJA

**Preliminary Order of Forfeiture**

12                  This Court finds Andrea Tionda Carr pled guilty to Counts 1, 2, 4, 5, 7, 8, 10, and 11  
13 of a 13-Count Criminal Indictment charging her in Counts 1, 4, 7, and 10 with illegal  
14 acquisition of a firearm in violation of 18 U.S.C. § 922(a)(6) and in Counts 2, 5, 8, and 11  
15 with sale or transfer of a firearm to a prohibited person in violation of 18 U.S.C. § 922(d)(1).  
16 Criminal Indictment, ECF No. 18; Change of Plea, ECF No.[58](#); Plea Agreement, ECF No.  
17 [57](#).

18                  This Court finds Andrea Tionda Carr agreed to the forfeiture of the property set forth  
19 in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment. Criminal  
20 Indictment, ECF No. 18; Change of Plea, ECF No. [58](#); Plea Agreement, ECF No. [57](#).

21                  This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United  
22 States of America has shown the requisite nexus between property set forth in the Plea  
23 Agreement and the Forfeiture Allegation of the Criminal Indictment and the offenses to  
24 which Andrea Tionda Carr pled guilty.

25                  The following property is any firearm or ammunition involved in or used in any  
26 knowing violation of 18 U.S.C. § 922(a)(6) and is any firearm or ammunition involved in or  
27 used in any willful violation of 18 U.S.C. § 922(d)(1) and is subject to forfeiture pursuant to  
28 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c):

1. a Diamondback Firearms model DB15 5.56mm semiautomatic rifle  
2. bearing serial number DB2458627;
3. a Ruger model 5.7 5.7mm x 28 semiautomatic pistol bearing serial  
4. number 642-04062;
5. a Glock model 21 .45 caliber semiautomatic pistol bearing serial number  
6. BNGS063;
7. a sand-color 5.56mm / .223 caliber AR-15 pattern upper receiver group  
8. fitting the Diamondback Firearms model DB15 5.56mm semiautomatic  
9. rifle;
10. a large-capacity 100-round dual-drum magazine fitting the  
11. Diamondback Firearms model DB15 5.56mm semiautomatic rifle;
12. five large-capacity 30-round magazines fitting the Diamondback Firearms  
13. model DB15 5.56mm semiautomatic rifle;
14. a large-capacity magazine fitting the Ruger model 5.7 5.7mm x 28  
15. semiautomatic pistol;
16. a large-capacity 39 round magazine fitting the Glock model 21 .45 caliber  
17. semiautomatic pistol;
18. 22 rounds of 5.7mm x 28 ammunition;
19. 56 rounds of .45 caliber ammunition;
20. 4 rounds of 5.56 ammunition;
21. approximately 500 rounds of compatible ammunition; and
22. any and all compatible magazines and ammunition

23 (all of which constitutes property).

24 This Court finds that on the government's motion, the Court may at any time enter  
25 an order of forfeiture or amend an existing order of forfeiture to include subsequently  
26 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and  
27 32.2(b)(2)(C).

28 / / /

1        This Court finds the United States of America is now entitled to, and should, reduce  
2 the aforementioned property to the possession of the United States of America.

3        NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND  
4 DECREED that the United States of America should seize the aforementioned property.

5        IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory  
6 rights, ownership rights, and all rights, titles, and interests of Andrea Tionda Carr in the  
7 aforementioned property are forfeited and are vested in the United States of America and  
8 shall be safely held by the United States of America until further order of the Court.

9        IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States  
10 of America shall publish for at least thirty (30) consecutive days on the official internet  
11 government forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall  
12 describe the forfeited property, state the time under the applicable statute when a petition  
13 contesting the forfeiture must be filed, and state the name and contact information for the  
14 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)  
15 and 21 U.S.C. § 853(n)(2).

16        IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual  
17 or entity who claims an interest in the aforementioned property must file a petition for a  
18 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which  
19 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §  
20 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's  
21 right, title, or interest in the forfeited property and any additional facts supporting the  
22 petitioner's petition and the relief sought.

23        IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,  
24 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,  
25 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was  
26 not sent, no later than sixty (60) days after the first day of the publication on the official  
27 internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov).

28        / / /

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the  
2 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States  
3 Attorney's Office at the following address at the time of filing:

4 Daniel D. Hollingsworth  
5 Assistant United States Attorney  
6 James A. Blum  
7 Assistant United States Attorney  
8 501 Las Vegas Boulevard South, Suite 1100  
9 Las Vegas, Nevada 89101.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice  
11 described herein need not be published in the event a Declaration of Forfeiture is issued by  
12 the appropriate agency following publication of notice of seizure and intent to  
13 administratively forfeit the above-described property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
15 copies of this Order to all counsel of record.

16 DATED February 2, 2022.

17   
18 RICHARD F. BOULWARE, II  
19 UNITED STATES DISTRICT JUDGE  
20  
21  
22  
23  
24  
25  
26  
27  
28